

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION

CIVIL NO. 1:03CV199

DEBORAH JEAN INGLE,)
Administrator of the Estate of)
Christopher James Burt Ingle,)
)
 Plaintiff,)
)
)
Vs.) O R D E R
)
)
MIKE YELTON, in his official and)
individual capacities; CHRIS)
YOUNG, in his official and)
individual capacities; JOE)
JOHNSON, in his official and)
individual capacities; and THE)
CITY OF ASHEVILLE,)
)
 Defendants.)
_____)

THIS MATTER is before the Court on remand from the United States
Fourth Circuit Court of Appeals.

The parties may engage in a 30-day period of discovery, from entry
of this Order through and including May 8, 2006, concerning the existence
and contents of videotapes of the incident involved in this case. In the

event that the Defendants claim no such videotapes exist, they shall file affidavits sworn to under penalty of perjury in support of that contention.

At the end of the 30-day period of discovery, the parties shall each file with the Court a statement of whether additional discovery is necessary and/or whether a further motion for summary judgment on the issue of qualified immunity may be brought in good faith.

IT IS SO ORDERED.

Signed: April 7, 2006



Lacy H. Thornburg
United States District Judge

